

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING**

November 4, 2015

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Wednesday, November 4, 2015 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

1. CALL TO ORDER:

Chairman Harley called the meeting to order at 7:02 p.m.

1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum):

Clerk Roberts called the roll as follows:

Member Name	Present	Absent	Excused
Thomas Harley, Chairman	✓		
Antonio Margiotta, Vice Chairman	✓		
Richard Roberts, Clerk	✓		
James Hughes			✓
George Oickle	✓		
Joseph Hammer			✓
Anthony Homicki	✓		
Thomas Dean	✓		
Ryan Allard			✓
Leigh Standish (alternate)			✓
Yolanda Antoniak (alternate)	✓		

Also present were: Peter Gillespie, Town Planner/Economic Development Manager, Justin LaFountain, Zoning Enforcement Official/Property maintenance Officer ;

Members of the Public were present.

Chairman Harley noted at the time of roll call there were seven (7) members in attendance. Mr. Harley also explained how the meeting would be conducted.

2. OLD BUSINESS:

There was no old business discussed at this meeting.

3. NEW BUSINESS:

3.1 PUBLIC HEARING APPLICATION NO. 1882-15-Z Pranav Dave M&G Landscaping, LLC Seeking a Special Permit in accordance with Section 3.5.2 (Home Occupation) of the Wethersfield Zoning Regulations for a home occupation (landscaping) in a residential zone at 33 Stockingmill Road.

Mr. Dave was present representing his business M and G Landscaping. Mr. Dave expressed his interest in obtaining approval to conduct this home occupation for a temporary period of time until he can locate a permanent commercial address for the business. He indicated that he could reasonably move out by July 1 of next year. Mr. Dave described the nature of his business and the equipment that he utilizes and explained that he performs landscaping services and snow plowing in the winter.

Mr. Dave summarized the nature of his business, hours of operation, equipment used, number of employees and the parking of employee vehicles. Mr. Dave also noted that the Town had cited him for running the business out of his home without the necessary permit.

Commission members noted that the property is a corner lot and is very visible to the adjoining neighbors, the business causes on street parking by employees which narrows up the street and inquired whether the vehicles were all registered in Wethersfield.

Several neighbors were present to express opposition to the proposal.

Sarah O'Hare – 111 Highland Street expressed her concerns with parking in the street, noise, property values and security.

Tom Mahar 20 Stockingmill voiced his opposition to the request based upon the highly visible trucks and trailers that would exist on the property.

Teresa O'Hare - 6 Stockingmill referred to a letter in the file

Colette Carlson - Terrywood Road expressed concerns the number of employees and possible burglaries that could be caused by these employees.

John O'Hare 6 - Stockingmill referred to a copy of materials that he had submitted on the record.

Mr. Dave responded to the neighbors concerns and offered to address the neighbors concerns by removing the trailer, having his employees park elsewhere, compliance with Fire Marshal concerns and limit his hours of operation.

The Commission members discussed a number of issues including: limiting the permit to 6 months, requiring employees to park elsewhere. Commission members also discussed the specific nature of this business, the fact that he has several employees, commercial vehicles and the potential for a precedent setting decision.

Mr. Dean motioned to close the hearing at 7:49 p.m., Mr. Oickle seconded the motion and the vote showed all in favor.

Mr. Roberts reviewed the Home Occupation regulations and criteria and questioned whether the application satisfied these criteria.

Mr. Margiotta noted that he was not comfortable with the potential neighborhood impacts.

Mr. Roberts motioned to approve the application as submitted. Mr. Margiotta seconded the motion. The members discussed possible conditions to address neighbor concerns including hours of operation 6 am to 9 pm, parking equipment in the garage, moving the trailer off-site, no employee parking on street, no advertising signs in yard, limiting permit approval until May 1, 2016. Mr. Roberts agreed to include these conditions in his motion.

Mr. Oickle stated that he does not feel this is an appropriate business for the location.

Mr. Dean stated that he has had experience with a similar home occupation in his neighborhood that has not generated much impact, was temporary in nature and then moved to a permanent commercial location.

After additional discussion Mr. Harley asked for the vote. The vote showed:

Aye: Harley, Dean and Antoniak.

Nay: Roberts, Homicki, Margiotta and Oickle.

Vote: 3-4.

The motion failed to pass and the application was denied by a vote of 3 to 4.

3.2 PUBLIC HEARING APPLICATION NO. 1883-15-Z Standard Recycling Corp. Seeking a Special Permit in accordance with Section 5.3 (Accessory Uses & Structures) of the Wethersfield Zoning Regulations for the installation of clothing recycling bins at 1380-1430 Berlin Turnpike (Jordan Lane Shopping Center).

Mr. Michael Reggina, Vice President of Marketing presented plans for the approval of 4 clothing recycling bins in the parking lot of the shopping center. Mr. Reggina explained that his firm has entered into an agreement with the property owner Cedar Jordan Lane, LLC and will assume responsibility for the maintenance and pick up of the area surrounding the bins. Mr. Reggina explained that he represents a for profit business which will donate proceeds to charity.

Commission members questioned the proposed location, loss of parking, necessary screening, how much money goes to the charity, frequency of clothing pickup, size of bins, taxes generated and rent to be paid to the property owner.

No questions from the public.

Mr. Roberts motioned to close the hearing at 8:43 pm, Mr. Homicki seconded the motion and the vote showed all in favor.

Mr. Homicki motioned to approve the application for a 1 year time frame, Mr. Dean seconded the motion. The vote showed:

Aye: Harley, Margiotta, Oickle, Homicki, Dean, Antoniak.

Nay: Roberts.

Vote: 6-1.

The application was approved by a vote of 6 to 1.

3.3 APPLICATION NO. 1887-15-Z Action Audio Store LLC. Kenston Harry seeking a Site Plan approval in accordance with Section 5.2 (Showroom and Garage) of the Wethersfield Zoning Regulations for retail and service use at 105 Silas Deane Highway.

Mr. Harry was present to discuss his plans to relocate his business Action Audio from its present location on the Berlin Turnpike in Newington to this location. Mr. Harry summarized the business which involves the sale and installation of car speakers, radios, sound and alarm systems. He has owned the business since 2010. Mr. Harry noted that he does not conduct performance or exhaust work on automobiles and noted that he collaborates with the community by bringing in summer interns to teach small business skills. The plans for the improvements to the space were reviewed and it was explained that a rear garage door will be added to allow vehicles to enter the space at the rear for the installations, 3 cars can be serviced at a time. Mr. Harry noted that Saturday is his busiest day, they are not open on Sundays and they close at 6 p.m.

Commission members questioned whether the business would generate potential noise concerns for the neighbors, whether work would be performed outside of the building, whether garage doors shut during business hours, Fire marshal comments, need for more detailed plans for building permits.

Mr. Roberts motioned to approve the application with the conditions that: 1. All vehicle work will be conducted inside the business space, and 2. The garage doors shall be closed while work is being performed on the vehicles. Mr. Oickle seconded the motion and the vote showed:

Aye: Harley, Margiotta, Roberts, Oickle, Homicki, Dean, Antoniak;

Nay: none;

Vote: 7-0.

4. OTHER BUSINESS:

There was no other business discussed that this meeting.

5. MINUTES – October 6, 2015

Mr. Oickle noted the need for some corrections on page 4 regarding votes and page 8 regarding the address. Mr. Oickle motioned to approve the minutes as corrected, Mr. Roberts seconded the motion and the vote showed:

Aye: Harley, Margiotta, Roberts, Oickle, Homicki, Dean, Antoniak;

Nay: none;

Vote: 7-0.

6. STAFF REPORTS:

Mr. LaFountain ZEO/PMO was present to discuss the September/October report. Mr. Roberts welcomed Mr. LaFountain and offered the support of the Commission as he conducts his enforcement actions. Mr. LaFountain noted that his first priority is to respond to complaints that he receives from the public. Mr. Gillespie indicated that he will be working with Mr. LaFountain and Ms. Bradley on some suggested revisions to the zoning regulations.

Mrt. Gillespie reported that they are trying to recruit a Recording Secretary to prepare meeting minutes.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING:

There were no public comments made at this meeting regarding general matters of planning and zoning.

8. CORRESPONDENCE:

There were no items of correspondence discussed at this meeting.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

1885-15-Z Denise Paternostro Seeking a Special Permit in accordance with Section 3.5.5 (Accessory Uses – Commercial Vehicle Equipment) of the Wethersfield Zoning Regulations in a commercial zone at 300 Main Street.

1886-15-Z 100 Great Meadow Road Associates Seeking a Special Permit in accordance with Section 5.2, 5.3, 5.8 and 6.2 (Restaurant, Outside Dining, Alcoholic Beverages and Shared Parking) of the Wethersfield Zoning Regulations for a restaurant at 100 Great Meadow Road (Putnam Park Office Building).

1884-15-Z CCC Construction – Frank DiBacco – Reservoir Estates Subdivision – Seeking a Special Permit and Subdivision in accordance with Section 3.3 of the Wethersfield Zoning Regulations in an OS-AA Zone on Back Lane.

10. ADJOURNMENT:

Motion: Commissioner Roberts motioned to adjourn the meeting at 9:30 pm.

Second: Commissioner Oickle seconded the motion.

Aye: Harley, Margiotta, Roberts, Oickle, Homicki, Dean, Antoniak;

Nay: none;

Vote: 7-0.

Meeting adjourned.

Respectfully submitted,
Peter Gillespie, Acting Recording Secretary